

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- April 13, 1966

Appeal No. 8664 Reatha Hanes et al, appellants

The Zoning Administrator of the District of Columbia, appellee

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on April 27, 1966.

EFFECTIVE DATE OF ORDER: June 13, 1966

ORDERED:

That the appeal for a variance from the provisions of Section 7202 to permit waiver of 2 parking spaces for the proposed building at 517-519 Kennedy Street, N.W., lots 25 and 26, square 3207, be denied.

From the record and the evidence adduced at the public hearing, the Board finds the following facts:

- (1) Appellants' lots are located in a C-2 District.
- (2) Lot 25 has a 18.5 foot frontage and lot 26 has a 19.25 foot frontage on Kennedy Street. Both lots have a depth of 142.5 feet.
- (3) Appellants propose to erect a 14-unit apartment building on the site.
- (4) Appellants state that the lots slope to the rear and that no parking can be placed under the building. In addition, appellants say the site is such that a taller building would not be desirable as it would not be in harmony with existing adjacent buildings.
- (5) Appellants can provide 5 parking spaces. Access to the lots is from the alley.
- (6) Section 7202 of the Zoning Regulations requires that apartment houses in a C-2 District provide one parking space for each two dwelling units.
- (7) Neighbors, Inc., opposes the granting of this appeal. The group indicates that parking in this area is a problem and that the proposed variance would intensify the problem.

OPINION:

We are of the opinion that appellant has failed to prove a hardship within the meaning of the variance clause of the Zoning Regulations. There is no hardship inherent in the land here. The only reason for not

providing the parking is the appellants' desire to erect a particular type of building. Another building arrangement on the site would allow the appellant to provide the required parking. Therefore, we conclude that the appellant has presented insufficient evidence to justify a variance from the parking requirement of the Regulations.